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August 9, 2007

The Honorable Joseph J. Farnan, Jr.
United States District Court
For the Eastern District of Delaware
844 North King Street
Wilmington, DE 19801

VIA ELECTRONIC FILING

Re: *Affymetrix, Inc. v. Illumina Inc.*
C.A. No. 04-CV-901 JJF

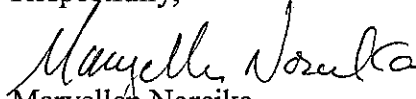
Dear Judge Farnan:

The parties received Your Honor's letter dated July 25, 2007, regarding scheduling of the next phase of the trial. Unfortunately, the parties are not available for trial during the week of October 30, 2007.

Counsel for Affymetrix and Illumina have met and conferred to discuss additional possible dates and have agreed that both parties are presently available for a trial commencing on any one of the following weeks: January 14, February 4, 11, and 18, 2008.

The parties have also agreed that a status conference with the Court is needed. Among the issues to be discussed are (1) the issues to be included in the next phase of the trial, (2) the order in which the issues will be tried, and (3) the length of the next phase of the trial. The parties request an in-person hearing with the Court before the end of September. Counsel for Affymetrix is generally available. Counsel for Illumina is available September 13, 17, 20-21, and 24-26.

Respectfully,


Maryellen Noreika

MN/dlb

cc: Clerk of Court (Via Hand Delivery)
Richard K. Herrmann, Esquire (Via Electronic Mail and Hand Delivery)
Marcus E. Sernel, Esquire (Via Electronic Mail)